

Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KING COUNTY and CITY OF TACOMA,
individually and on behalf of others similarly
situated,

Plaintiffs,

v.

TEVA PHARMACEUTICAL
INDUSTRIES, LTD., TEVA
PHARMACEUTICALS USA, INC., and
TEVA NEUROSCIENCE, INC.,

Defendants.

No. 2:21-cv-00477-RSL

**STIPULATED MOTION AND
ORDER REGARDING NON-
PARTY CONFIDENTIALITY
DESIGNATIONS**

Note on Motion Calendar:
December 31, 2024

BACKGROUND

WHEREAS, the Parties to this case have served document subpoenas on various non-parties;

WHEREAS, as a condition to producing certain subpoenaed documents, multiple subpoenaed non-parties have requested to be permitted to designate certain commercially sensitive materials, “HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY;”

1 WHEREAS, the Parties, through their respective counsel of record, hereby agree to
 2 the terms of this stipulation and order for additional protection of confidential documents
 3 produced by non-parties;

4 THEREFORE, in view of the foregoing, and because the Parties hereto, by and
 5 through their respective counsel, have agreed to the following Stipulation and Order
 6 Regarding Non-Party Confidentiality Designations, pursuant to Federal Rule of Civil
 7 Procedure 26(c) and having determined that good cause exists for the entry of this Order, the
 8 Parties stipulate and request the Court order as follows:

9 **STIPULATION**

10 1. To the extent any subpoenaed non-party deems it appropriate to designate
 11 documents produced in this matter as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES
 12 ONLY” under the Stipulated Protective Order (Dkt. No. 24), and to the extent the non-party
 13 in good faith believes that the documents it is producing contain material relating to highly
 14 sensitive business matters, the disclosure of which could cause direct and substantial harm to
 15 the non-party, it may designate such non-party may further designate such documents as
 16 “HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY.”

17 2. Material designated “HIGHLY CONFIDENTIAL – OUTSIDE
 18 ATTORNEYS’ EYES ONLY” shall be governed in all respects by the provisions of the
 19 Stipulated Protective Order concerning materials designated “HIGHLY CONFIDENTIAL –
 20 ATTORNEYS’ EYES ONLY,” with one exception: material designated “HIGHLY
 21 CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY” shall not be disclosed to In-
 22 House Counsel (as defined at ¶ 4.2.b. of the Stipulated Protective Order). For avoidance of
 23 doubt, materials designated as “HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS’
 24 EYES ONLY” may still be disclosed to the parties’ Outside Counsel of Record as defined at
 25 ¶ 4.2.a. of the Stipulated Protective Order, and may still be challenged pursuant to the
 26 Stipulated Protective Order.

3. This stipulation and order is binding upon, without limitation, all current and future parties in this action (including their respective corporate parents, subsidiaries, affiliates, successors, and attorneys and all other representatives or agents), and their counsel; all other persons or entities authorized under the Stipulated Protective Order or any other order of this Court to receive or view Highly Confidential Material; and all other interested persons or entities with actual or constructive notice of this stipulation and or the Stipulated Protective Order.

DATED: December 31, 2024

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Attorneys for Defendants

ORDER

IT IS SO ORDERED.

DATED this 3rd day of January, 2025.

Robert S. Lasnik

Robert S. Lasnik

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused true and correct copies of the foregoing document to be served upon the following, at the addresses stated below, via the method of service indicated.

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Dated this 31st day of December, 2024, in Seattle, Washington.

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